EX.Petition No.5 of 1993.

05.10.2007 **Present:** Ms.Devyani Sharma, Advocate, for the Decree Holder.

Mr.Rajan Dewan, Additional Advocate General, for the respondent-Judgment Debtor.

Execution Petition No.5 of 1993.

On 30.12.1997 this Court passed the following order in CMP No.786 of 1997:

"CMP No.786/97

Shri M.L. Chauhan, learned Assistant Advocate General says that the reply has been filed in the Registry but the same has not been put up with the case file before the Court. From his copy of the reply, we find in paragraph-4 the following averments:

> "That the appellants have deposited the whole decretal amount as mentioned supra with the registry as per order of the Hon'ble High Court. As such the order with regard to renewal of FDRs or to release the amount are to be passed by the Hon'ble Court. It is further submitted that non applicants have not filed the appeal in the Hon'ble Supreme Court as yet."

In view of the stand taken in the reply as contained in the aforesaid paragraph-4, the present application is allowed and the amount now in deposit along with interest shall be released in favour of the applicant through its authorized attorney after renewal of the FDRs".

Pursuant to this order, the amount has been withdrawn by the Decree Holder. In the circumstances, this execution petition is dismissed.

October 5, 2007 **(Dev Darshan Sud)**
(aks) **Judge**